

MEMO ENDORSED

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MT. HAWLEY INSURANCE COMPANY,

Plaintiff,

-against-

21-cv-6473 (VEC)

AEGEAN LAND HOLDINGS, LLC

**JOINT LETTER REQUESTING
EXTENSION OF FACT DISCOVERY
AND SECOND PRETRIAL
CONFERENCE**

Defendant.

Dear Judge Caproni:

Pursuant to section 2.C. of the Court's Individual Practice in Civil Cases, the Parties submit this joint letter to request an extension of the fact discovery deadline to **May 1, 2022** and an adjournment of the next pretrial conference to **May 6, 2022 at 10:00 a.m.**

(1) The reason for the proposed extension of time. Mt. Hawley diligently conducted fact discovery since the Court entered the Civil Case Management Plan and Scheduling Order on November 29, 2021. As part of its efforts, Mt. Hawley timely requested available dates to depose Aegean's corporate representative and public adjuster. The Parties agreed that the depositions would take place on March 14 and 15, 2022—within the Court's April 1, 2022 deadline for fact discovery. Mt. Hawley served Notices stating that the depositions would take place on March 14 and 15, 2022, as required under the Federal Rules of Civil Procedure. On March 11, 2022, Aegean's counsel informed Mt. Hawley's counsel that, due to an unforeseen scheduling error with Aegean's local, Florida counsel, Aegean's counsel would be unable to attend the depositions on March 14 and 15. Mt. Hawley requested other available dates prior to the April 1, 2022 discovery deadline, but Aegean's counsel informed Mt. Hawley that it did not have any availability before April 1, 2022. As such, the parties submit this joint request for a one-month extension of the fact discovery deadline to May 1, 2022 and a one-month adjournment of the next pretrial conference to May 6, 2022 at 10 a.m., so that Mt. Hawley may depose Aegean's corporate representative and public adjuster.

(2) The original fact discovery deadline is April 1, 2022, and the next pretrial conference is currently scheduled for April 8, 2022. (See Civil Case Management Plan and Scheduling Order, Doc. 27, ¶¶ 5(a), 10).

(3) The number of previous requests for extension of time. This is the Parties' first request to modify the deadlines in the Court's Civil Case Management Plan and Scheduling Order. The Parties previously requested and were granted two adjournments of the Initial Pretrial Conference to explore settlement options.

(4) Whether the Parties consent. The Parties consent to and jointly request the aforementioned extensions of time.

(5) Proposed alternative dates. The Parties request an extension of the fact discovery deadline **to May 1, 2022** and an adjournment of the next pretrial conference to **May 6, 2022 at 10:00 a.m.**

Dated: March 11, 2022

Respectfully Submitted,

/s/ Greg K. Winslett

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**ATTORNEYS FOR AEGEAN LAND
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Application GRANTED.

The fact discovery deadline is adjourned to **May 1, 2022** and the expert discovery deadline is adjourned to **Friday, June 10, 2022**.

The pre-trial conference, currently scheduled for Friday, April 8, 2022 at 10:00 A.M., is adjourned to **Friday, May 6, 2022 at 11:00 A.M.** Pre-conference submissions are due no later than **Thursday, April 28, 2022**. For the content of the pre-conference submissions, the parties could consult the Case Management Plan at docket entry 27.

All parties and any interested members of the public must attend the May 6, 2022 conference by dialing 1-888-363-4749, using the access code 3121171, and the security code 6473. All attendees are advised to mute their phones when not speaking and to self-identify each time they speak. Recording or rebroadcasting the proceeding is strictly prohibited by law.

SO ORDERED.



Date: March 11, 2022

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE